IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8638 of 2005

Between:

N.Srinivas Rao, S/o. N.Ventataratnam,
Munganda, 533 224, East Godavari Dist.,

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

rep. by its Principal Secretary,
Energy Department, A.P.Secretariat, Hyderabad.
2 The A.P.Genco,

rep. by its General Manger (Admn),
Vidyutsoudha, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of a writ of mandamus by declaring the action of the 2nd respondent in filling up the posts of Assistant Engineers beyond the posts notified without following merit and rule of reservation and further after issuance of subsequent notification for conducting recruitment to the posts of Assistant Engineers and issuing appointment orders to some of the candidates who appeared in response to the earlier notification, as arbitrary, illegal and violative of Article, 14 16 of the Constitution of India and consequentially direct the respondents to appoint the petitioner to the post of Assistant Engineer (Mechanical) with all consequential benefits and to pass such other order or further orders.

Counsel for the Petitioner :Mr.K.G.K.PRASAD

Counsel for the Respondent No.1: G.P.FOR ENERGY

Counsel for the Respondent No.2: Smt.E.URMILA

The Court at the stage of admission made the following :

ORDER:

Seeking to declare the action of the second respondent in filling up the posts of Assistant Engineers beyond the posts notified without following merit or rule of reservation and a consequential direction to the respondents to appoint the petitioner to the post of Assistant Engineer (Mechanical) with all consequential benefits, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent-corporation.

It is contended by the learned counsel for the petitioner that the posts are being filled up after taking permission from the government, and the petitioner was on panel of candidates, but he was not given any appointment, and hence he prays to consider his case.

On the other hand, the learned standing counsel represents that the panel of the petitioner has been expired and there is no possibility to consider the case of the petitioner. It is not in dispute before this court that the statement of the learned counsel for the respondent that the panel is not in existence. When there is no panel existing as on today, the question of considering the case of the petitioner for the post of Assistant Engineer does not arise. Hence the writ petition is devoid of merits and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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K.C.BHANU, J.

Dated:20..04..2005.

Rns

To

1 The Principal Secretary,

Government of Andhra Pradesh,

Energy Department, A.P.Secretariat, Hyderabad.

2 The General Manager(Admn.),

A.P.Genco,
Vidyutsouda, Hyderabad.

3 Two CCs to G.P.for Energy, High Court Buildings,

Hyderabad(OUT)

4 Two CD copies.